

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:18-CV-9-BO

TRUDELL MEDICAL INTERNATIONAL,)
)
Plaintiff,)
)
v.)
)
D R BURTON HEALTHCARE LLC,)
)
Defendant.)

ORDER

This matter is before the court on Plaintiff's unopposed motion to redact certain portions of the transcript of the claim construction hearing held in this matter on October 22 and 23, 2020. Plaintiff seeks to the specified portions of the transcript on the ground they concern proprietary information produced by Plaintiff and excerpts from deposition transcripts of Plaintiff's inventors of the '588 Patent containing confidential business and technical information, all of which were sealed or redacted in connection with the parties' claim construction briefing pursuant to the court's February 12, 2020 order [DE #139]. (Pl.'s Mot. React Tr. [DE #189] at 1-2.)

For the reasons set forth in Plaintiff's motion, the court finds that the public's right of access is outweighed by Plaintiff's compelling interests in protecting against competitive and/or financial harm to Plaintiff were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of Plaintiff's request to seal and a reasonable opportunity to object have been provided by the filing of its

motion, and no objections have been filed with the court. Plaintiff has narrowly tailored its request to remove only information that is sensitive and confidential and not otherwise publicly known. Plaintiff's motion is therefore allowed.

CONCLUSION


For the foregoing reasons, Plaintiff's Motion to Redact Transcript [DE #189] is GRANTED. The docketed transcript [DE ##187 188] shall be SEALED, and the court reporter shall submit for public filing a transcript with the following redactions:

Transcript of Proceedings on October 22, 2020	
Page:Line(s)	Identifiers (when less than entire line is to redacted)
15:19-21	
15:25	From "where" to the end of line 25
16:1-3	Ending with the word before "It's" on line 3
16:12-17	From "a" on line 12 to the end of line 17
17:17	From the word after "know" to the word before "or"
18:3-5	From "Mr." on line 3 to the end of line 5
18:22-25	From "characterize" on line 22 to the end of line 25
19:1-19	
19:21-22	From "Document" to the end of line 22
20:2-3	From the beginning of line 2 to the word before "And" on line 3
26:1-4	From the beginning of line 1 to the word before "Okay" on line 4

Transcript of Proceedings on October 22, 2020	
Page:Line(s)	Identifiers (when less than entire line is to redacted)
26:9-13	
27:1-3	From “what” to the end of line 3
27:8-10	From the word after “described” to the word “application”
43:3-15	From the word after “was” to the end of line 15
44:8-14	From “So” to the end of line 14
44:16-20	From “they” to the end of line 20
45:5-7	From “that” to the end of line 7
46:6-8	From the beginning of line 6 to the word before “So” on line 8
46:10-23	From the word after “inventor” on line 10 to the end of line 23
47:5-7	From “Now” to the word before “So” on line 7
50:4-10	
53:14-16	From the beginning of line 14 to “structure”
54:9-21	From “That” to the end of line 21
58:24-25	From “In” to the end of line 25
59:1-4	From the beginning of line 1 to “page 4” on line 4
59:11-17	From the beginning of line 1 to the word before “and” on line 17

Transcript of Proceedings on October 23, 2020	
Page:Line(s)	Identifiers (when less than entire line is to redacted)
13:7-11	
34:15-25	From “describe” to the end of line 25
35:1-5	From the beginning of line 1 to the word before “And” on line 5
35:10	From “a” to the word before “and”
35:22-25	From the beginning of line 22 to the word before “And” on line 25
36:7-10	From the beginning of line 7 to the word before “We” on line 10
41:10-11	From “There’s” on line 10 to the word before “at” on line 11

This 28th day of June 2021.



KIMBERLY A. SWANK
United States Magistrate Judge